

Article - Family Law

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§5–345.

(a) If, after termination of parental rights as to a child, there is an open guardianship case, a petition for adoption of the child may be filed only as provided in this Part IV of this subtitle.

(b) (1) Any adult may petition a juvenile court for an adoption under this Part IV of this subtitle.

(2) If a petitioner under this section is married, the petitioner's spouse shall join in the petition unless the spouse:

(i) is separated from the petitioner under a circumstance that gives the petitioner a ground for annulment or divorce; or

(ii) is not competent to join in the petition.

(c) (1) A petitioner under this section shall attach to a petition:

(i) 1. all written consents required under § 5-350 of this subtitle; or

2. if applicable:

A. proof of guardianship or relinquishment of parental rights granted by an administrative, executive, or judicial body of a state or other jurisdiction; and

B. certification that the guardianship or relinquishment was granted in compliance with the jurisdiction's laws;

(ii) a copy of an agreement, if any, for postadoption contact; and

(iii) a notice of filing that:

1. states the date on which the petition was filed;

2. identifies each governmental unit or person whose consent was filed with the petition;

3. if applicable, states that a postadoption agreement was filed with the petition; and

4. includes no identifying information that would be in violation of an agreement or consent.

(2) In addition to a copy of an agreement for postadoption contact, a petitioner shall file the original agreement under seal.

(d) If the marital status of a petitioner changes before entry of an order, the petitioner shall amend the petition accordingly.

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